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Calendar No. 214

85TH CONGRESS  
1ST SESSION

**S. 385**

[Report No. 213]

IN THE SENATE OF THE UNITED STATES

JANUARY 9 (legislative day, JANUARY 3), 1957

Mr. JOHNSTON of South Carolina (for himself and Mr. NEUBERGER) introduced the following bill; which was read twice and referred to the Committee on Post Office and Civil Service

APRIL 8, 1957

Reported by Mr. CLARK, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italics*]

**A BILL**

To authorize the training of Federal employees at public or private facilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 *That the President of the United States may authorize the*  
4 *heads of Federal agencies to obtain training at non-Federal*  
5 *facilities for civilian officers and employees of their agencies,*  
6 *when they find that such training will be in the interests*  
7 *of the Government and not inconsistent with the interests*  
8 *of national security and will contribute to the more effective*  
9 *functioning of their agencies.*

10 SEC. 2. For the purposes of this Act—

I

1       (a) The term "Federal agency" means (1) any de-  
2 partment or independent establishment in the executive  
3 branch of the Government, including any Government-  
4 owned or controlled corporation subject to title I or title II  
5 of the Government Corporation Control Act (but not in-  
6 cluding any corporation under the supervision of the Farm  
7 Credit Administration of which corporation any member of  
8 the board of directors is elected or appointed by private in-  
9 terests); except the Central Intelligence Agency, the Atomic  
10 Energy Commission, the Tennessee Valley Authority, the  
11 Bureau of Medicine and Surgery of the Veterans' Adminis-  
12 tration, and the Foreign Service of the State Department,  
13 (2) the municipal government of the District of Columbia,  
14 (3) the Library of Congress, (4) the Government Print-  
15 ing Office, and (5) the General Accounting Office.

16       (b) The term "training" means the provision of oppor-  
17 tunities to acquire skill or knowledge related to the work of  
18 the respective Federal agencies.

19       (c) The term "non-Federal facilities" includes State,  
20 county, local, or foreign governments, interstate or inter-  
21 national organizations, or instrumentalities thereof; institu-  
22 tions of learning; laboratories; trade, labor, agricultural, or  
23 scientific associations; foundations; industrial or commercial  
24 organizations; or other appropriate organizations and facili-  
25 ties, foreign or domestic.

1     (d) The term "employee" means any officer or em-  
2     ployee of a Federal agency, as defined above, except those  
3     subject to the Career Compensation Act of 1949, as amended.

4     SEC. 3. Training of employees of one Federal agency  
5     by another; loan of training facilities among Federal agen-  
6     cies; and training activities on a joint basis among Federal  
7     agencies are also authorized.

8     SEC 4. Appropriations or other funds available to Fed-  
9     eral agencies for salaries or expenses shall be available  
10    for the purposes of this Act. Tuition, fees, and related  
11    training expenses may be paid to the training facility or to  
12    the trainee: *Provided*, That no part of any appropriation,  
13    or of the funds available for expenditure by any corporation,  
14    or other funds, shall be available to pay for training at any  
15    facility that teaches or advocates the overthrow of the  
16    Government of the United States by force and violence.

17    SEC. 5. Regulations issued under authority of the Presi-  
18    dent pursuant to this Act shall set forth the obligations to  
19    which employees who accept training in non-Federal facili-  
20    ties shall be required to agree, and any such trainee who  
21    fails to fulfill his obligations shall be required to reimburse  
22    the Government whatever portion of the travel, subsistence,  
23    tuition, fees, and related training expenses the head of the  
24    agency concerned finds equitable.

25    SEC. 6. This Act shall become effective upon its

1 passage. After ninety days from the date of its enactment,  
2 no training in non-Federal facilities shall be obtained for  
3 an employee by a Federal agency except as provided by  
4 this Act: *Provided, however,* That such training begun or  
5 specifically approved by the appropriate authorizing official  
6 prior to the enactment of this Act or within ninety days  
7 thereafter may be completed in accordance with the au-  
8 thorities upon which they were based, and without regard  
9 to the provisions of this Act.

10 SEC. 7. All laws or parts of laws inconsistent with the  
11 provisions of this Act are hereby repealed to the extent of  
12 such inconsistency, and such repeal shall include but shall  
13 not be limited to the following laws and parts of laws:

14 (a) Section 307 (b) of the Civil Aeronautics Act of  
15 1938, as amended by Public Law 670, Eighty-first Congress  
16 (64 Stat. 417).

17 (b) Section 3 (b) of Public Law 259, Seventy-sixth  
18 Congress (53 Stat. 1182), amending the Merchant Marine  
19 Act of 1936, as amended.

20 (c) Clause (8) of section 803 of the Civil Aeronautics  
21 Act of 1938, as amended by Public Law 691, Seventy-ninth  
22 Congress (60 Stat. 945). Clause (7) of the same section is  
23 amended by inserting the word "and" at the beginning, im-  
24 mediately following the number "(7)" and immediately  
25 preceding the word "promote", striking out the word "and"

1 at the end following the semicolon, and changing the semi-  
2 colon to a period.

3 ~~(d) Section 16 of the Defense Highway Act of 1941~~  
4 ~~(55 Stat. 770), as amended.~~

5 ~~(e) Public Law 472, Eighty-first Congress (64 Stat.~~  
6 ~~43), as amended.~~

7 ~~(f) That part of section 6 of Public Law 448, Sixty-~~  
8 ~~ninth Congress (44 Stat. 793), amending the World War~~  
9 ~~Veterans' Act which follows the words "and may detail em-~~  
10 ~~ployees to attend the same"; and that part of the first sen-~~  
11 ~~tence of section 9 of part VII, Veterans Regulation Num-~~  
12 ~~bered 1 (a), as amended by Public Law 16, Seventy-eighth~~  
13 ~~Congress (57 Stat. 45), which reads "and may detail any~~  
14 ~~such personnel to attend courses conducted by other than~~  
15 ~~Veterans' Administration agencies, including private organi-~~  
16 ~~zations, and such employees in addition to their salaries shall~~  
17 ~~be entitled to the payment of expenses incident to such detail,~~  
18 ~~including transportation and tuition, as the Administrator by~~  
19 ~~rules and regulations shall provide".~~

20 SEC. 8. The President shall report annually to Congress  
21 upon the operation of this Act.

22 *That the President of the United States may authorize the*  
23 *heads of Federal agencies to obtain training at non-Federal*  
24 *facilities for civilian officers and employees of their agencies,*

1 *when they find that such training will be in the interests*  
2 *of the Government and not inconsistent with the interests*  
3 *of national security and will contribute to the more effective*  
4 *functioning of their agencies.*

5 *SEC. 2. For the purposes of this Act—*

6 *(a) The term "Federal agency" means (1) any de-*  
7 *partment or independent establishment in the executive branch*  
8 *of the Government, including any Government-owned or*  
9 *controlled corporation subject to title I or title II of the*  
10 *Government Corporation Control Act (but not including*  
11 *any corporation under the supervision of the Farm Credit*  
12 *Administration of which corporation any member of the*  
13 *board of directors is elected or appointed by private interests),*  
14 *except the Central Intelligence Agency, the Atomic Energy*  
15 *Commission, the Tennessee Valley Authority, the Bureau of*  
16 *Medicine and Surgery of the Veterans' Administration, and*  
17 *the Foreign Service of the State Department, (2) the munic-*  
18 *ipal government of the District of Columbia, (3) the Library*  
19 *of Congress, (4) the Government Printing Office, and (5)*  
20 *the General Accounting Office.*

21 *(b) The term "training" means the provision of oppor-*  
22 *tunities to acquire skill or knowledge related to the work of*  
23 *the respective Federal agencies.*

24 *(c) The term "non-Federal facilities" includes State,*  
25 *county, local, or foreign governments, interstate or inter-*

1 national organizations, or instrumentalities thereof; institu-  
2 tions of learning or individual instructors; laboratories;  
3 trade, labor, agricultural, or scientific associations; founda-  
4 tions; industrial or commercial organizations; or other ap-  
5 propriate organizations and facilities, foreign or domestic.

6 (d) The term "employee" means any officer or em-  
7 ployee of a Federal agency, as defined above, except those  
8 subject to the Career Compensation Act of 1949, as amended.

9 SEC. 3. Training of employees of one Federal agency  
10 by another; loan of training facilities among Federal agen-  
11 cies; training activities on a joint basis among Federal  
12 agencies; and training by Federal agencies of their own  
13 employees are also authorized.

14 SEC. 4. Appropriations or other funds available to  
15 Federal agencies for salaries or expenses shall be available  
16 for the purposes of this Act. Tuition, fees, and related  
17 training expenses may be paid to the training facility or to  
18 the trainee: Provided, That no part of any appropriation,  
19 or of the funds available for expenditure by any corporation,  
20 or other funds, shall be available to pay for training at any  
21 facility that teaches or advocates the overthrow of the  
22 Government of the United States by force or violence.

23 SEC. 5. No training in a non-Federal facility shall be  
24 provided under this Act for any employee unless such train-  
25 ing is authorized by the head of the agency or by another

1 official of such agency designated for that purpose by the  
2 head thereof.

3 SEC. 6. Regulations issued under authority of the Presi-  
4 dent pursuant to this Act shall set forth the obligations to  
5 which employees who accept training in non-Federal facilities  
6 shall be required to agree, including an agreement in writing  
7 to remain in the Government service, unless voluntarily  
8 separated therefrom, for a period equal to three times the  
9 length of any period of time off with pay granted such em-  
10 ployee without charge to annual leave for the purpose of  
11 such training. Any such trainee who fails to fulfill such  
12 obligations or agreement shall be required to reimburse the  
13 Government for whatever portion of the travel, subsistence,  
14 tuition, fees, and related training expenses the head of the  
15 agency concerned or official thereof designated under section  
16 5 determines, in accordance with criteria established by  
17 such regulations, to be equitable.

18 SEC. 7. This Act shall become effective upon its pas-  
19 sage. After ninety days from the date of its enactment,  
20 no training in non-Federal facilities shall be obtained for  
21 an employee by a Federal agency except as provided by  
22 this Act: Provided, however, That such training begun or  
23 specifically approved by the appropriate authorizing official  
24 prior to the enactment of this Act or within ninety days  
25 thereafter may be completed in accordance with the au-

*We should establish  
Accepted from the legislation  
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1 *thorities upon which they were based, and without regard*  
2 *to the provisions of this Act.*

3       *SEC. 8. To the extent authorized by regulations of the*  
4 *President under the authority of this Act, contributions may*  
5 *be made by private sources and accepted by employees re-*  
6 *ceiving training in non-Federal facilities without regard to*  
7 *the provisions of section 1914 of title 18 of the United States*  
8 *Code.*

9       *SEC. 9. All laws or parts of laws inconsistent with the*  
10 *provisions of this Act are hereby repealed to the extent of*  
11 *such inconsistency, and such repeal shall include but shall*  
12 *not be limited to the following laws and parts of laws:*

13       *(a) Section 307 (b) of the Civil Aeronautics Act of*  
14 *1938, as amended by Public Law 670, Eighty-first Congress*  
15 *(64 Stat. 417).*

16       *(b) The last sentence of section 201 (c) of the Merchant*  
17 *Marine Act of 1936, as amended.*

18       *(c) Clause (8) of section 803 of the Civil Aeronautics*  
19 *Act of 1938, as amended by Public Law 691, Seventy-ninth*  
20 *Congress (60 Stat. 945). Clause (7) of the same section is*  
21 *amended by inserting the word "and" at the beginning, im-*  
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2 colon to a period.

3 (d) Section 16 of the Defense Highway Act of 1941  
4 (55 Stat. 770), as amended.

5 (e) Public Law 472, Eighty-first Congress (64 Stat.  
6 43), as amended.

7 (f) That part of section 33 of the World War Veterans'  
8 Act (44 Stat. 793) which follows the words "and may detail  
9 employees to attend the same"; and that part of the first sen-  
10 tence of section 9 of part VII, Veterans Regulation Num-  
11 bered 1 (a), as amended by Public Law 16, Seventy-eighth  
12 Congress (57 Stat. 45), which reads "and may detail any  
13 such personnel to attend courses conducted by other than  
14 Veterans' Administration agencies, including private organi-  
15 zations, and such employees in addition to their salaries shall  
16 be entitled to the payment of expenses incident to such detail,  
17 including transportation and tuition, as the Administrator by  
18 rules and regulations shall provide".

19 SEC. 10. The head of each agency any employees of  
20 which are provided training in non-Federal facilities shall  
21 report annually to the Congress the name of each employee  
22 receiving such training during the period covered by the  
23 report, the length of his total service as an employee of the  
24 Government, the grade, title, and primary functions of his

We are exempted from  
this regulation at least  
in respect to the cases of the employees.

- 1 *position and the length of his service in such position, the*
- 2 *non-Federal facility at which his training was received, the*
- 3 *nature, length, and cost of such training, and the relationship*
- 4 *of the training to the employee's position.*

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By Mr. JOHNSON of South Carolina and Mr.  
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